NEWVOUS AND DEB'LITATED,

WHOSE SUFFERINGS

HAVE BEEN PROTRACTED,

AND WHOSE CASES

REQUIRE PROMPT TREATMENT

BENDER EXISTENCE DISTRABLE.

If you are suffering, or have suffered, what effect Gees it produce upon your general health!

Do you feel weak, debilitated, easily tred?

Does a little extra exertion produce palpitation of he heart ? Do your liver or your kidneys frequently get out

Do you have spells of short breathing or dyspepsia: Are your bowels constinued? Do you have spells of fainting, or rushes of blood to

Is your memory impaired? Is your mind constantly dwelling upon this subject? Do you feel dull, listless, moping, tired of company,

or of life? Do you wish to be left alone, to get away from Does any little thing make you start or jump?

Is your sleep broken or restless? Is the lustre of your eye as brilliant? the bloom

on your cheek as bright? Do you enjoy society as well? Do you pursue your business with the same energy De you feel as much confidence in yourself?

Are your spirits duli and flagging, given to fits of melancholy? If so, do not lay it to your liver or dys-

Have you restless nights? Your back weak, your knees weak, and have but little appetite, and you attribute this to dyspepsisjor liver complaint?

Now reader, the organs of generation, when in perfect health, make the man. Did you ever think that those bold, defiant, energetic, persevering, sucseasful business men are always those in whom these organs are in perfect health? You never hear of such men complain of being mliancholy, of pervousness of palphation of the heart. They are never arraid they cannot succeed in business; they don't become ead and discouraged; they are always polite and pleasant in the company of ladies, and took you and them right in the face—none of your downcast looks or any

Diseases of these Organs Require the Use of a Diuretic.

HELMBOLD'S FLUID EXTRACT OF BUCHU

IS THE GREAT DIURETIO,

And is a Certain Cure for Diseases of the

BLADDER,

ORGANIO WEAKNESS,

FEMALE COMPLAINTS,

And all diseases of the Urinary Organs, whether ex

being in Male or Female,

From whatever causes originating and no matter o bow long standing. If no treatment is submitted to. Consumption or

Insanity may evene. The records of the Instanc Asybens and the melancholy deaths by Consumption. bear ample witness to the truth of these assertions, In Lunatic asylums the most melancholy exhibition appears. The countenance is actually sodden and quite destitute-neither Mirth or Grief ever visits it should a sound of the voice occur, it is rarely articu-

-With worful measures wan Despair
Low, sullen sounds his grief begulled."
Our flash and blood are supported from these sources, and our health and happiness, and that of Posterity, depend upon prempt use of a reliable

# HELMBOLD'S

EXTRACT BUCHU,

ESTABLISHED UPWARD OF 18 YEARS, Prepared by

H. T. HELMBOLD,

No. 594 BROADWAY, NEW YORK,

No. 104 S. TENTH STREET, PHILADELPHIA, PA. PRICE-41-25 per bottle, or six bottles for \$6.50 de-

None are genuine unless done up in steel-engraved wrapper, with fac simile of my Chemical Warehouse, H. T. HELMEDLD.

livered to any adoress. Sold by Druggists every-

Corner of Fifth avenue and Seventy-sixth street, (A HOME AND SCHOOL FOR THE SONS OF DE-CEASED SOLDIERS.)

DR. H. T. HELMROLD:-Two bottles only of the package of your valuable Buchu presented to the Institution have been used by the children, and with persect success. In the case of our little Lieutenant A. J., his pride is no longer mor whed, and he is free from the daily morning anathe tas of the chambermald who has charge of his bed di bg. I feel that a knowledge of the result of our use of Buchu with the children under our charge may save many a Superintendent and Matron of Boarding Echools and Asylums a great amount of anusyance v and many a poor child, suffering more from weak ness than from habit, may be spared punishment, that is (not knowing it as a weakness justead of a be d habit) most unjustly inflicted upon them. Tranking you on behalf of the children, and hoping

I am respectfully yours, COL. YOUNG,

June 16, 1863, '

General Supt, and Director.

GREAT SALT LAKE CITY, JANUARY 28, 1865

Dear Bit: - Your communication requesting our terms of advertising was duly received, but from prejudice I had formed against advertising "cures for secret diseases," It was left unanswered. During au accidental conversation in a drug store the other evening, my mind was changed on the character of your BUCHU. It was then highly recommended for other discases by two physicians present, Enclosed please find our rates of advertising.

T. R. B. STENHOUSE, Editor and Proprietor of Daily and Weekly Telegraph,

## THE SUPREME COURT

FIRST EDITION

The Investigation into the Fraudulent Naturalization Certificates.

JudgeSharswood's Opinion in Full

He Exonerates the Prothonotary, and Adjourns His Court.

Supreme Court at Nisi Prius-Judge Sharswood.-In the matter of the rule on Colonel Snowden in regard to the fraudulent natu. ralization certificates, Judge Sharswood this morning delivered the following opinion:-

In the case of the Commonwealth vs. Snow den. I would say as a preliminary that these tweive forged certificates of naturalization I have endorsed "cancelled," and I direct them to be filed as part of the record of this case. Judge Sharswood then proceeded to read his written opinion, as follows:-

In the matter of the rule on James Ross Snowden Esq. Prothonotary of this Court, to show cause Why an attachment should not issue against him

for contempt.

The process of attachment for contempt is a summary remedy, which has been exercised by the Courts in England as far back as the annals of the law extend. 4 Blackst. Com. 286. The use of it was so much enlarged by judicial decisions that the Legislature of this State saw proper to provide by the act of April 3, 1809 (5 Smith, 55) that "the power of the Judges of the several courts of this Commonwealth to issue attachments and inflict summary punishments for contempts of courtshall be restricted to the following cases—that is to say, to the official misconduct of the officers of such courts respectively; to the negligence or disobedience or contempt. official misconduct of the officers of such courts respectively; to the negligence or disobedience of officers, parties, jurors, or witnesses against the lawful process of the court; to the miscoelarion of any person in the presence of the court obstructing the administration of justice." This provision was re-enacted by the revised act of March 16, 1836. (Pamph. L., 793.) The mode of proceeding is well explained in Hollingsworth vs. Duane, Wallace's State Rep., 78. A rule is generally granted in the first instance on affidavits, upon the return of which the defendant answers on oath, the evidence is neard, and if the Court should be of opinion that the fact on which the rule was taken is not sufficiently answered or excused, and that in point of law a contempt has been incurred, an attachment is awarded. When the defendant is brought in on this writ he answers interrogateries propounded to him on behalf of the Commonwealth, in whose name the writ always

brought in on this writ he answers interrogateries propounded to him on behalf of the Commonwealth, in whose name the writ always
issues, and if he gives such answers as purge
him from the criminality he must be discharged.—4 Blackst. Com., 287; case of Hummel
and Bisboff, 9 Watts., 416.
In this case the rule was granted upon
affidavits that twelve naturalization certificates,
purporting to be signed and sealed in blank by
the Prothonotary of this Court, had been found
on the person of a prisoner, who had been
arrested and was in custody on another charge.
The certificates were produced. I allowed the
respondent on the hearing of the motion to
prove, which he did by several witnesses well
acquainted with his handwriting, that the
signatures were forgeries; yet as the impressions
of the seal appeared to be genuine I granted the
rule. On the return of it the respondent put in
an answer on oath, in which he positively and
distinctly denied any knowledge of the papers,
or that any such had ever been signed, sealed,
or issued with his knowledge or by his authority. No attempt even has been made to prove or issued with his knowledge or by his autho or issued with his knowledge or by his authority. No attempt even has been made to prove by a single witness that the handwriting is that of the respondent. The Attorney-General, Mr. Brewster, with that candor which always characterizes him as a gentleman and a lawyer, has admitted that it is not. He has also declared has admitted that it is not. He has also declared with the same frankness that he does not believe the respondent to have knowingly issued or permitted to be issued any black certificates like those in question. The whole evidence establishes this beyond a doubt. The personal integrity of the respondent is therefore fully vindicated. But the ground has been assumed that he has been guilty of gross negligence in allowing the business in the office to be so transacted that naturalization certificates, such as these might be supreptitionally obtained. transacted that naturalization certificates, such as these might be surreptitiously obtained; and such gross neglect, if it exists, would unquestionably constitute official misconduct. All the clerks in the office, some who have been heretofore connected with it but are not now, and many other witnesses, have been examined. The widest range and the fullest opportunity by adjournment have been given to the Commonwealth to pursue the investigation. It was due alike to the Court and the community and the respondent himself that this

portunity by adjournment have been given to the Commonwealth to pursue the investigation. It was due alike to the Court and the community and the respondent himself that this should be done. The specifications of alleged negligence have been reduced to four, which I will proceed to examine.

First, As to the seal. That the die by which the seal is affixed to writs and records should be carefully guarded must be admitted by every one acquainted with the law on this subject. It is established beyond all question that the seal of a Court of Record proves itself. Nor is it necessary for a party offering it in evidence to prove it or the signature of the attesting cierk. The burden of disproving it is east upon him who alleges that it is false. This is the law as daily administered in all our Courts, as laid down in every standard work on evidence, and fully supported by all the decided cases. "In proving a record by a copy under seal," says Mr. Greenleaf, "it is to be remembered that the courts recognize without proof the seal of State, and the seals of the courts of justice," says Mr. Starkle, "are of public credit, are part of the constitution of the courts, and supposed to be known to all." I Greenleaf on Ev., 508: Starkleon Ev., 8, Am. ed. 258: Phillips on Ev., 885; Hill & Cowins, note 714, in which the American cases are collected. I could multiply citations on this point, but I forbear, as I do not believe any lawyer can be found who questions it. Thatsuch a certificate of a judicial proceeding is conclusive and cannot be set aside on the ground of any errors, illegalities, or irregularities, where the court had jurisdiction, unless by the same court in which it took place, or some higher court on error and appeal, and stands conclusive as to all the world until it is actually so set aside, is a point equally incontrovertible. McPnerson vs. Cauliff, II 8. & R. 429. Weekerly vs. The German Lutheran Congregation, 3 Rawle 150. Marsh vs. Pier, Rawle 284. Bower vs. Tuliman, 5. W. & S. 556, Gaple et al. Titus et al 195. A legion of authorities might be invoked, as well from this as from every State in the Union, to the same effect. It has been held in the Supreme Conrt of the United States that the judgment of a court admitting an alien to become a cilizen is conclusive that all the provisions of the law have been complied with. Stark vs. The Chesapenke Ins. Co., 7 Cranch, 420; Spratt vs. Spratt, 4 Peters, 393. "This judgment." says Chief Justice Marsnall, "is entered on record as the judgment of the court. It seems to us, if it be in legal form to close all inquiry, and, like every other judgment, to be complete evidence of its own validity." The same principle has been recognized and applied to certificates of naturalization in every State court in which the question has ever arisen. McDaniels vs. Richards, i McCord, 187; Ritchie vs. Putnam, 12 Wendell, 524; McCarthy vs. Richards, I Seiden, 263. I have searched diligently, but without success, through all the books for any decision, or even dictum, which either denies, qualifies, or doubts, this doctrine. It is one of the firmest settled foundation stones of the law. It is evident, then, from these considerations, that the importance of guarding the seais of this court from being tampered with cannot be overestimated. It is objected against the respond in that it is not kept in a safe position. It has been proved, however, that it was kept in the same piece for many years before he was appointed Prothonotary. He found it there when he first took possession of the office, Every judge who has of Decessity, frequently seen it. It is within the view of all the cletks when the office is not crowded; and when it is crowded it is near and within view of one of the, when the office is not crowded; and when it is crowded it is near

crowd became so great lately that the alteu-tion of this cierk might either accidentally or designedly be diverted to another quarter, the designedly be diverted to another quarter, the respondent appointed a cierk whose sole duty it should be to take charge of it, and see that it was not sfixed to the paper, unless by some one duly authorized. It is certainly unimportant that this person had been but a few days before employed, when this duty was assigned to him. It required no special knowledge or experience to perform it. Of his sobriety, intelligence, and integrity no question has been made. That the seal should be kept locked, and be unlocked every time it is needed, is an idea no one can entertain for a moment, unless, indeed, the clerks should be allowed to keep always on hand a very considerable number of all kinds of writs and certificates of record, ready scaled, which, however, the Commonwealth objects to strenously as being itself evidence of negligence.

we must not leave out of view in the consideration of this case, that the room provided for the Prothonotary of this court is small and narrow, entirely in-ufficient for the safe and convenient transaction of its business and the security of its important records. That, now-ever is not the fault of the respondent. I think this specification is not sustained.

this specification is not sustained.

The third allegation is that he allowed naturalization certificates, signed and sealed, in blank, to be issued by his clerks. If this fact was clearly established, I would not consider it as evidence of negligence, provided due precaution were observed in the custody of the papers. I see nothing in the fact that each of the clerks may have had at times a pile of cirtificates directly before him and immediately under his eye, ready signed and sealed, white engaged is filting them up. The evidence shows that since the crowd became so great as to make such a practice dangerous, it had been discontinued. Certainly, if Mr. McCartby is to be believed, since the seal has been placed in his charge no certificate in blank had passed under it. I find no negligence, therefore, under this this specification is not sustained. t. I find no negligence, therefore, under this

esd. The second allegation is that the respondent The second allegation is that the respondent suthorized his name, during his absence, to be signed by the clerk to certain documents, to be used at Washington in obtaining pensions and bounties from the Treasury of the United States. It seems that the rules in that department is not to receive documents signed per procurationem. Whether this was right or wrong in the respondent I do not think I am called on to decide. It does not relate to the record or business of this Court. It is done, as I understand, to authenticate the signatures of aldermen to private and other documents. If this practice is wrong he is amenable to the Federal authorities. It is fully proved that he never authorized it to be done in certifying the records of this Court, but expressly foroade it. I dismiss this specification.

records of this Court, but expressly forcade it. I dismiss this specification.

The third allegation is that he allowed naturalization certificates signed and sealed in blank to be used by his cierks. If the fact was clearly ostablished I would not consider it as evidence of negligence, provided due precautions were observed as to the custody of the papers. I see nothing in the fact that each of these clerks may have had at times a pile of certificates directly before, and immediately certificates directly before, and immediately under his eye, ready signed and scaled, while engaged in filling them up. The evidence shows that since the crowd became so great as to make such a practice dangerous, it has been discontinued. Certainly, if Mr. McCartny is to be believed, since the seal has been placed in his charge, no certificate in blank has passed under it. I find no negligence therefore under this head.

The fourth allegation is that the clerks per-

The fourth allegation is that the clerks permitted blanks neither signed or sealed, to be taken out of the office to be filled up by stran-gers. I do not know that this has been shown gers. I do not know that this has been shown to have been brought to the knowledge of respondent. It has been testified, however, to be a common practice in all the offices. It very much expecities business. Without the seal and attestation the blank is nothing; and I cannot see that it would be much security against frands to refuse this accommodation.

The fifth and last allegation is that the respondent appointed temporarily as a clerk a man who. In 1855, was convicted and since served out an imprisonment of two years for the offense of altering forged pension certifi-

served out an imprisonment of two years for the offense of altering forged pension certifi-cates. It clearly appears that the respondent engaged him on the recommendation of his chief clerk, Mr. Ross, without any knowledge of the fact of such conviction, or of any-thing against the character of the man, as he has sworn in his supplemental of the fact of such conviction, or of any-thing against the character of the man, as he has sworn in his supplemental answer flied. Mr. Ross confirms this, and adds that though he had known the individual in question for many years, and many persons of his acquaintance, he had never heard of the conviction, and that when he recommended him he believed his character to be good. There is not the slightest evidence that this clerk was guilty of any irregularity or impropriety durguilty of any irregularity or impropriety dur-ing the short period that he was employed in the office. No negligence has been established

in this matter.

After hearing the whole case in connection, with the clear and satisfactory testimony of Mr. Anthony Morin, an excert of long and large experience, as to the entire practicability of making, by the electrotyping process, a false seal from a good paper impression of the origi-nal, which would make impressions on paper equal to the best of them appearing on these forged blanks, I am strongly inclined to the opinion that they were not sealed in the office. That opinion has been confirmed by comparing their impressions with twelve genuine ones made at the same time, and which are in evidence. Every one of the seals of the forged papers, except one is better than the uppermost, and best of the twelve true ones, uppermost, and best of the twelve true ones, and about equally good, yet none of these is as sharp and good as a true impression taken separately. The letters on all the false papers are distinct and legible, while after the first four or five of the genuine ones no letters can be distinguished at all. I think it most probable, from their uniform appearance, that the false seals are all single separate impressions from a die, not so sharp as the original, just such a one as according to Mr. Morin could be electrotyped from a paper impression.

It will be observed that in the course of this searching investigation into the conduct of the

searching investigation into the conduct of the respondent, no charge has been made nor any evidence given of any misconduct in that part of naturalizations which was under his immeof naturalizations which was under his immediate supervision in court. None of the clerks or officers engaged to assist him in those duties have been called or examined. Yet, as irregularities in all parts of the process have been alluded to, I may take this opportunity to make a few remarks in explanation of the mode adopted in this and heretofore in the other courts of this city in admitting aliens to the rights of citizenship. I do not mean, of course, to express any opinion upon the legality of that mode, because the question may in some form come before the Court in banc, and it would evidently be improper for me, as it does not arise in the case before me, to prejudge a question of such importance. question of such importance.

It is not inconsistent, however, with my duty in that respect to say that if this mode so long pursued be lilegal, and therefore void, and the naturalization certificates issued under it can be lawfully rejected, then nine-tenths of all the

aliens naturalized by our coorts during the last thirty years will be reduced again to the con-dition of aliens.

Any man, whether lawyer or not, who can Any man, whether lawyer or not, who can draw a logical inference, must acknowledge that this consequence is inevitable. When I took my seat upon the bench of the District Court in 1845, I round that this system had been followed by the learned and pure men who were members of the Court, which had preceded that to which I had been appointed; and by that distinguished jurist Judge King, then President of the Court of Common Pieas. That system is this. In the cases of applications on declarations of intention, the index examines That system is this: In the cases of applications on declarations of intention, the judge examines the papers, and if found to be regular, delivers them to the cierk or one of the officers to administer the required oath to the cetitioners and his voncher in the Court room. In the case of those who apply on the ground of having arrived in the country under the age of eighteen—as they are required to produce no papers—there is nothing to examine. The petition, with the accompanying affidavit, is a printed form, the same in all these cases, and the cierk has only to see that it is properly filled up with the name and country of the petitioner, and the year of his arrivat. Upon taking my seat in the Court of Nisi Trius on the first Monday of September of this year, I found on inquiry that the examination of the papers in all cases to the Prolished practice here had been to refer the examination of the papers in all cases to the Prothonotary, with directions, however, that if any coubt or question arose in his mind in any, to report it for the opinion of the judge. I saw clearly the reason of this difference. The Prothonotary of this court is a lawyer of mature age and experience, appointed by the court itself, and possessing its entire confidence. He is always personsily present in court attending to his duties. Whereas in the other courts the Prothonotaries and clerks are generally not lawyers, are not appointed by the courts, and

act entirely by deputies. I determined, however, upon reflection, to pursue the same practice I had always followed in the District Court, not from any the slightest want of confidence in Colonel Snowden, but I thought I would feel better satisfied if I gave such personal supervision to the matter as I had been in the habit of doing. I acted accordingly.

There was one other difference, but in which I thought the practice here was a decided improvement. I observed that the cath administered to petitioners as minors, instead of being general "that the contents of their petitions were true," recited particularly the facts set forth in them. I took occasion to express my approbation of it to the Protonontary. As to the policy or expediency of changing this practice of so many years' standing by substituting the policy of expediency of changing this prac-tice of so many years' standing by substituting one accompanied with more formally and delay, it is unnecessary that I should now ex-press any opinion. If any plan can be adopted by which the naturalization of foreigners can be spread ratably over the whole year, instead of nine-tenths of it being orowded into the few weeks before the election, it would undoubt-edly be an improvement. Even tuen, I appre-hend, it would be found a very serious interrup-tion and impediment to the other business of the courts, if is were required that the judge the courts, if it were required that the judge should personally examine every petitioner and his voucher, during which time all other pleas must of necessity cease. My recollection is that in 1851 it was tried in one of our courts, I do not know how long; but it was abandoned because it was found impracticable consistently with a regard to the rights of other suitors. But however this may be, it is plain that any such change of practice ought to be announced at least nine months before an election, so that all persons entitled may take measures accordingly. To spring it upon the community on the eve of such an event would work the grossest injustice. By the delays it would occasion the eve of such an event would work the grossest injustice. By the delays it would occasion
it would very much increase the crowd in and
at the doors of the court room; there would be
clamor and struggling for precedence, which
could not well be prevented or restrained. If
arranged in a line it would require the petitioners and their vouchers to wait in attendance perhaps several days before their turns
would come. Laboring men would thus lose
valuable time which they could ill afford; and
it would be a practical deutal of the right to
hundreds of men fully and justly entitled to it
under the laws of the land.

It may be that among so many cases there
are instances of fraud, perjury, and false personation. But I doubt if the change proposed
would tend to prevent these crimes. Every
day that I sat, except during the first twe weeks,
when the applications were comparatively few,
I rejected many petitions. In several instances
I specially examined the petitioner and his
voucher on oath, it anything appeared doubtful
or suspicious in the papers. That a very large
number have been naturalized is true, but not
more, I think, than was to be expected. In

number have been naturalized is true, but not more, I think, than was to be expected. In every election preceding a Presidential election, which I remember, except 1884, the number has been large. In the fall of 1856, twelve years ago, more than five thousand persons were naturalized in the District Court alone. Since then the yearly influx of foreigners has been very great. But there exist special reasens why the numbers should be much greater on this than on any former ocmuch greater on this than on any former occasion. During the war naturalization almost
entirely ceased. This is the first Presidential
election since its close, so that there is in fact
nearly the arrivals of eight years, which have
been held back. I remarked, in examining the
declarations, how very large a number there
were who might have been naturalized prior to
1864. There is another cause for a very considerable percentage of increase. In 1802 Congress
passed an act allowing any honorably discharged soldier to be naturalized on one year's
residence, and without any previous declaration. I think that during the month
I sat at Nisi Prius I examined almost as
many cases of discharges as of declarations of
intention. It is no argument, therefore, to
parade numbers as evidence of frauds or irreguiarities. If there is any impression among parace numbers as evidence of radds of fire-gularities. If there is any impression among the members of the Barand in the community that the whole process of naturalization has been conducted by the Prothonotary without any personal supervision by me, and that in a loose and unusual manner, it will be seen from

this statement that it is entirely without foundation in fact.

I have thus disposed of this case so far as the rule on the Prothonotary is concerned. I order it to be discharged. But I have not forgetten that the main object with which this investigation was commenced was to discover by whom and how these forged papers, if they did come from this office, were obtained, in order that the guilty parties might be discovered and punished. The first application to me on the part of the Common wealth was for an attachment, or benon-warrant, as it was termed, against John Devine, in whose possession they were found, in order that he might be compelled to disclose how they came into his possession that the might be compelled to disclose how they came into his possession. ment, or bench-warrant, as it was termed, against John Devine, in whose passession they were found, in order that he might be compelled to cisclose how they came into his possession. I thought it very clear that, under the act of Congress before referred to, I had no power to issue an attachment for contempt in such a case. It was at my suggestion that the rule was issued on the Prothonotary, by which the power of the Court could be used to compel the appearance of Devine and other persons, so that the perpetrators of this great crime might be discovered and brought to that condign punishment which they so well deserve. I said I would award a writ of habeas corpus ad testificandum to bring up Devine from prison, but that he ought to have counsel present to advise with and instruct him as to his rights as a witness. No application, however, was made to me for the writ during that day, which was Saturdey, October 3, 1868. It now appears that Devine was discharged from prison that same night. The committing magistrate by whom he was discharged has not been produced, and we have no evidence as to who went his bail. Devine himself says that he does not know. I must confess I should have been better satisfied if the bail had been brought before me to be examined as a witness. No subpcens was taken out against Devine on Monday, nor any charge preferred against him. When the Court met at 12 o'clock M. on that day, according to adjournmen, a motion was made for a writ of habeas corpus, but no petition and affidavit was presented. I would have allowed time, however, to prepare them, issued the writ and waited for its return. It being suggested, however, that Devine was present in Court, I directed his name to be called, he answered and appeared. On his subsequent examination he said that he had come of his own accord, without suggestion or advice from anybody, because he understood from what ne cwn accord, without suggestion or advice from anybody, tecause he understood from what ne read in a Sunday newspaper that he was to be tried. I think it somewhat remarkable that this man, upon whose person these blank certificates were found, had thus the most ample opportunity, if he was guilty, to fly from justice, or to avoid appearing as a witness in this case. Being without counsel, he was carefully instructed by me before giving his testimony that he had a right to decline to answer any question which would either criminate or tend to crimi-nate himself. He submitted to answer, and did, to all appearance, answer every question fully. I see no reason whatever to doubt the truth of his testimony. It was clear, consistent with the testimony of the other witnesses, and consistent with itself. No contradiction has been attempted to be pointed out. No man, I think, can entertain the belief for a moment that he (John Devine) either stole these blanks cut of the office or forged the names. The presumption in the first instance undoubtedly is that they were in his possession for an unlawful and guilty purpose. I do not believe, on the evidence, however, that he knew that these papers were in his possession, or, at all events, what they were. Nor do I believe that they were given to him or put in his pocket for election purposes. The man or men who would commit the crime of puriolning and forging them, would not select such an agent to consummate it. I have come to the conclusion, siter full examination and weighing all the circumstances, that John Divine, on the night or early morning of his arrest, at the corner of Jefferson avenue and Washington street, tell among his enemies, personal or political His worst enemy, indeed, was that which he had "put into his mouth to steal away his brains." Like "Cassio," when he awoke later in the day, he remembered "a mass of things, but nothing distinctly; a quarrel, but nothing wherefore." That he was drunk the police officer who arrested him for snapping a piatol at a man and his wife crossing the street testifies, and he himself confesses it. He remembers nothing about the quarrel, the pistol, or the papers. He admits the watch and the money, which were taken from him and afterwards returned, though he found the money much less than he expected, which is not surprising, considering the manner in which, by his own account, he had spent the day. The pistol was not returned to him, and it has not been produced here, so that he might say whether it was his or not. Not a single witness has been called who was present when the arrost was made, to tell who were there and how the quarout of the office or forged the names. The p sumption in the first instance undoubtedly

called who was present when the arrest was made, to tell who were there and how the quar-

rei arose; for there were loud words, says the policeman; not even the man and his wife who were crossing the street, and at whom, it is said, the pistol was snapped. Some person or persons followed the officer and him after the arrest. At the door of the Station House, as he was going down the steps, Devine was assaulted from behind, and struck a severe blow or blows on the head with some blunt instrument. He was stunned. This is his own account, and the officer testifies to the same thing. Then this officer testifies to the same thing. Then this officer says there was no one at the Station House to receive the prisoner, and that he could not therefore arrest the assailant without letting him go, I think he would have been perfectly justified in doing so, even if Devine had escaped, which was not very likely in his then condition. He did not call for help, nor spring his rattle. He does not know who his assailant was, and I suppose the perpetrator of this gross outrage will never be brought to justice. When Devine awoke from his srunken debauch he found his hair clotted with blood and gore, and requested in vain for some water to wash and dress it, offering to policeman; not even the man and his wife who his crucken debauch he found his hair clotted with blood and gore, and requested in vain for some water to wash and dress it, offering to pay. When the other prisoners were sent down to prison he wished to go also, and asked why he was not taken. He says that the officer in charge, whom he named, answered that "they wanted to make use of him." No one has been produced to contradict these statements of Devine, or to explain them. I very muon regret this, for the sake of the administration of the law. If I thought that Devine had possession of these pepers knowingly, and for a franculent purpose, I would feel myself bound, of my own motion, to order his arrest, and to commit him to prison or bind him over to answer the charge before or bind him over to answer the charge before the proper tribunal. But I think that the evidence before me corroborates his own statement, that he was in possession of these papers without guilt on his part, and I therefore make no rule in regard to him. Rule discharged.

As soon as he had finished reading the above opinion, Judge Sharswood adjourned the Coart,

### IMPORTANT!

The Illegal Tipstave Naturalizations.

Judge Agnew Endorses Judge Read's Letter.

BEAVER, Oct. 8, 1868.—My Dear Colone!:—The uncommon character of the recent proceedings in the Supreme Court at Nisi Prius, for the naturalization of foreigners, makes it my duty, as a member of the bench, to address you. However they may be deemed justified by some as a member of the bench, to address you. However they may be deemed justified by some portions of the public, on account of the entisting serve, or by the practice said to exist in some Couris, the proceedings which have taken place under your official cognizance as the Prothonolary of the Court, are, in my judgment, without the sanction of law or propriety, and are not justified by any known usage. In the outset, I must say that my entire confidence in your integrity warrants the belief that you are not consciously a party to any actual fraud. Yet, while this may cover your character as a man, it does not abate the reprobation with which a large body of the community looks upon the loose and disorderly practices to which you have given your official sanction, nor remove the unwarranted discredit it brings upon the Court. I feel this as one of its members, and regret it still more, because I am unable to discover any mode in which I, or even a mejority of the Bench, can at this time remedy the case. The Court in Banc is not in session, and cannot meet until the 19th inst., at Pittsourg, while the Bench of the Nisi Prius has been occupied by those previously assigned to hold its periods in September and October.

The naturalization of aliens is a judicial act, in which the Court must be satisfied, on proper evidence, of the residence of the applicant in the United States and this State for the legal periods of time; that he is a free white person, and has behaved himself as a man of good moral character, attached to the good order and happiness of the same. Now, in view of the

States, and well disposed to the good order and happiness of the same. Now, in view of the and happiness of the same. Now, in view of the manner in which you have suffered your subordinates and the tipstaves of the Court to rush the papers through in more than a maeistrom current, how is it possible that a single requisite of the law could be complied with? In twelve judicial days, from the 21st of September to the 3d of October, inclusive, you have permitted to be run through 5458 sets of papers, averaging only 39 seconds on each set. On some days the average is less. The whole number on the 28th was 720, averaging only 25 seconds to a set. These figures are taken from your own statement furnished to brother Read. The whole number of naturalizations, according to that statement, was 6018, from secording to that statement, was 6/18, from September 14 to October 3. Now neither you nor your clerks and the tipstaves could in this time open the papers, gather the contents, and administer the oath first to the witness and then to the applicant. Much less could you accritain the class to which applicant belongs, scrutinize his appearance and that of his voucher, make him comprehend the true nature of his application, his abjuration of his former allegiance, and the adoption of the new one he is about to assume, and tarry through the proceeding in an intelligible and of the new one he is about to assume, and carry through the proceeding in an intelligible and proper way. It is clear you could not, in the short time allotted to each case, determine the propriety of admitting the applicant to citizenship, even if the power belonged to you; and it is still more clear that you could not and did not communicate each case to the Court for its approval. In short, the whole proceeding was unintelligible, informal, disorderly, and illegal, and is damaging the reputation of the Court. You had not time in this continuous press to collect your own iees, and must have done the business for nothing, unless you have some outside guarantee to fail back upon. This mode of proceeding is not even sanctioned by the irregular practice which is said to have existed in a me courts—a custom to permit the clerk or his deputies to carry on the process of naturalization in the presence of the Court, in an ordinary way, where occasional applications only zation in the presence of the Court, in an ordinary way, where occasional applications only occur, and where time is taken by the officer to examine the papers, read them to the parties deliterately, see that they are all regular, and that all the requisites of the law have been properly observed. Such a custom, unwarranted as it is in my judgment, to delegate this important function of the Court to clerks and tipstaves, cannot justify this pell-mell speed, this absence of all thought and examination, and this disorderly haste with which you have suffered your subordinates to drive the papers through the court. How is it possible that from five, and even seven hundred persons, and as five, and even seven hundred persons, and as many more as their witnesses, making 1000 to 1400 persons, can be examined in one day of five life persons, can be examined in one day of five hours, and their cases intelligently disposed of? It is not possible. How can francis be guarded against in such a proceeding? Who can identify either parties or witnesses, unless it might be the common voucher who swears by the thirties and forties? What is there to prevent one man in as many days representing a dozen sets of papers? If the sitting judge thought the practice, as he has known it to exist, warranted a delegation of his rower of determination, yet it did not justify you or your deputies in the abuse of the delegated authority. I am compelied, therefore, in my own justification, lest it should be supposed that the bench at large sanctions your acts, to express my dissatistaction, and in order that such a practice may not seem to be sanctioned by the highest Court in the State, and tioned by the highest Court in the State, and thus become a precedent for the general guidance of judges in the inf-rior courts. I am truly yours, etc., DANIEL AGNEW.

Col. Jas. Ross Snowden.

Prothonolary Subreme Court, Phila.
P. S.—I have sent a copy of this letter to my Brother Reed, who concurs with me in disaptropher Reed, who concurs with the disap

# Markets by Telegraph.

Markets by Telegraph.

NEW York, Oct. 10.—Stocks strong, Chicago and Rock Inland. 1:65; Reading, 865; Canton, 49%; Erle, 48%; Cleveland and Toledo 10; Cleveland and Pittsburg, 88%; Fittaburg and Fort Wayne. 111%; Michigan Central. 117%; Michigan Fouthern, 85%; New York Central. 117%; Michigan Fouthern, 85%; New York Central. 129%; Filnois Central. 141%; Cumberland preferred, 83, Virginia 8a, 84%; Miscouri 6s, 91%; Hudson River, 134%; 5-20, 1882, 112%; do, 1864, 110%; do, 1868, 110%; do, 1868, 110%; do, 1868, 110%; do, 1868, 10%; do, 1864, 110%; do, 1869, 10%; do, 1869,

Baltimork, Oct. 16.—Cotton firm and active middligs. 2 ½. Flour active and firmer. Wheat semer and unchanged. Corn firm; white, \$1.20@1.28; sel.ow. \$1.20@1.28. Cloverseed in good local demand, stock light; new, \$5.50; old. \$5.25. Timothy quiet at \$3.16@2.25. Provisions soring and unchanged.

# DEMOCRACY!

#### More of the Tipstave Citizens.

Below we present the names of a portion o the citizens turned out by the tipstaves of the Supreme Court on September 30 and October 5 and 6. The following shows the number of names thus far published by us;-

Published to-day..... previously ....

3479 Total. The Professional Vouchers did not operate very extensively on the 5th and 6th of October, so that we have few changes to

make in the summary of their achievements, which is as follows:--James A. Watson 72 John Williams... Tim Donohue... 43 John Green... Edward McNuity 41 Charles Rogers... Hirsta Jacobs... 38 Sol. Pinbeiro... Berbard Mullin... 38 P. F. McPherson John Ward....... Hugh Brown..... 25 A. De Bruen 24 Joseph Ostertag...... Theodore Sayder William Gross .... John Bar man... 22 George Thompson... 19 Wm. Belshaw... 19 George Dickinson... 17 John Little... 17 Michael Hays... Tuomas Evans... John H. Little.... Ernest Gentner.... Henry Wisham ....

James A. Costello ...... 15

have suthorized the publication of the following ca d, in connection with the lists which we will publish from day to day:

HEADQUARTERS UNION REPUBLICAN CITY EXECUTIVE COMMITTEE, No. 1105 Chesnut street, Philadelphia, October 1, 1808.—The following named parties have been naturalized by the Supreme Court during the present campaign. We cail upon our friends to closely examine the same as regards the residence of the party, the name of the voucher, etc., and to make copies of the same, to be used on election day.

WILLIAM R. LEEDS, President.

JOHN L. HILL,

A. M. WALKINSHAW,

Secretaries. The City Executive Committee

### OUR NEW VOTERS.

Naturalized Wednesday, September 30. Name. Voucher. Willowby Horrock John Garvey. Cor Divi'n and Brown Cor.Fisher and Divis'n Wm. B. Tebley
4148 Ludiowstreet. 1630 James street

James Dougherty, John Dugan
229 Locust street
Richard Dawson, Boudinot street
John Doian, 115 McClelland street, 537 Powell street
Locath Daley. Philip Royle M. D. Joseph Daley, 1321 Filbert street, Denois Daley,

Philip Boyle, M. D. 1432 N. Second street Edward Deery, 1342 Alder street 615 Baker street. James Quigley
972 Delaware avenue
M. W. Prendergast
4239 Fibert street Michael Quigier, 972 Delaware avenue. Frank Muiball,

1104 Mark's lane. Philip Staup, 522 Thompson street. Peter Beil, 1537 Brinton street James Moore
22 James, Falls Schuyl
William Gross,
226 Juniper street
James McCutcheon James Crystal,
Frankierd Arsenal:
Matthias Schmieder, 129 Juniper street. Alex. Allen, Fr'd re. & Hart lane.) Samuel Priestley, 326 Master street. Jonathan Cliff

Chester John Fullerton, 4411 Etizabeth street Joan Smith, 1521 Market street John McAdams, 1809 Moravian street. B. F. Taylor
Delaware county
John Williams
414 Callowhill street Michael Dunn, Delaware county. Patrick Bowers, 1234 Hamilton street,

William Gross 226 N. Juniper street Juins Schoning, 726 Legue street. Michael Leany, 714 S. Fitteenth St. Edward Fitzpatrick 1231 Brown street John McGarten Hugh Sweeney, Norristown, James Maher, 1206 Market street. Consponocken George M. Derr 21 Thirteenth street

Jonu Ward 1018 Filbert street George Diamond James Flynn, 703 Front street. James Yogan, 318 Tenth street. 6 Youder street

411 Landis street
James Boyle
Thomas Agnew
Anthony Henny
10 Jayne street
George Keller
323 S. Sixth street

Thomas Carrighan 108 Union street Samuel Howell

Charles Brady 1802 Frank ford road

Rear 1240 Taney street

Rear 1240 Taney street

Lower Merion

Total for September 30.

Naturalized Monday, October 5,
ncis O' Conner,
0 N. 22d street,
n Weish,
alis Schuylkill,
n Biehman,
wis Erbehaw,
wis Erbehaw,
wis Erbehaw,
Albert McCaler
James Gilliyder John Weish. Lewis Ernebaw Marshall & Diamond, 425 Belgrade street Owen McGloughlin, Hugh McLoughlin 1141 S. Seventu street 324 S Sixth street Thomas Henry
16 N. Eighth street
Jacob Mull
1240 Taney street
J. C. Smith
Pottstown
James Flasherty Thomas Alister, 311 N. Sixth street.

Ed. Vasl. Sist and Thompson. Daniel McConnell, Hugh Brady Charles Henry, West Chester. Benry Albert,

James Donavan, 108 Union street. James Stafford, Samuel Howell John Smith 17:7 Carpenter street John Hoosey 1126 Hewson street 292 Carpenter street. Tim. Leonard, 1520 Almond street. Mervinest & Montav John Locker. Patrick Morrissey 26th and Pine streets John Sims, 23d and Pine streets.

Hugh Lozan 213 N. Sixteenth st 7 Myers' court. Max Hinerwadel, David Gritzner 2018 Belgrade street. Hugh Devine 1706 American street James Hampton, James Hampton, Oliver Hampton
James Hampton, Oliver Hampton
Paul Wiedmer, J. E. School
Rear 130 Apple street. Front 1:07 Apple street
Michael Kaerle, Jacob Mull, Jr
3181 800 Thompson. 1240 Taney street Blst and Thompson. Henry Bornett, George Darr No. 21 N. 17th street Montgomery county.

Patrick Cummings 919 Thompson street Joseph Graf, John Latz Joseph Christ, 1 1642 N. Fourth street. Ferd, Straub 181 Lombard street John Hoosey John Levins, Port Richmond. Hewson street homas Hamilton 914 S. Fourth street Thomas Finnimore, Rear 1028 S. Fifth st. William O'Leary, Fountain Green, John Hertler, James Flanagan Fountain Green Jacob Muil. Jr 32d and Master sts. John Huber, 301 Thompson street. Jacob Muli, Jr Rear 1040 Taney street Bonefertns Seller, Jacob Mull, Jr 32d and Master sts. Charles McCloskey, 275 Levering street, J. McLaughlin, 2217 Race William Beishaw James Doyle, James Winters, 2029 Hampton street. Witham Belshaw 1906 Wilcox street John R. Myers Holmesburg Patrick McGuire 1747 Hale street Luke Masset, Bustleton road, James Larkin, 10th and York av.

Jere. Cabill, 1019 Carpenter street, Rich. Gallagher, 24th and Pine streets. Thomas Tiernan, Encks county. James Tigne, 25.7 Frankford road. Patrick Kelly, 8450 Ludiow street

William Clark 24th and Pine street 2728 Frankford avenue Jacob Muil Senastian Yeager.

1240 Taney street Robert Stinson 1508 Bodine street

[Continued on the Second Page.]